CR No.106 of 2006.

1.8.2007 Present: Mr. B.N. Misra, Advocate, for the petitioners.

Mr. Ajay Kumar, Advocate, for respondents 1 to 3.

On this petition coming up for consideration today, learned Counsel appearing for the petitioners seeks to withdraw this petition but with a prayer that this Court may allow the petitioners one, just one opportunity to produce their entire evidence on self-responsibility.

The petition is dismissed as withdrawn. The impugned order dated 3rd July, 2006 passed by the learned Rent Controller (4), Shimla, is upheld and confirmed except the last part thereof by which the petitioners' evidence has been closed. That part of the impugned order is set aside. The petitioners are permitted to produce their entire evidence, on their self-responsibility, without taking any aid from the Court for summoning any witness on the date to be fixed by me for this purpose. Only one opportunity shall be granted to the petitioners for this purpose. On the said date whatever evidence is produced by the petitioners shall be recorded. If the petitioners do not produce any evidence on that date, their evidence shall stand closed without any further reference.

The case being very old the learned trial Court shall take all steps to expedite the conclusion of the trial.

The parties through their learned Counsel are directed to appear before the Court below on 6th September, 2007 for recording of the petitioners' evidence. Record be sent back.

CMPs No.417 of 2006 and 385 of 2007.

Infructuous.

August 1, 2007. **(V.K. Gupta), C.J.**

(rc)